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23 **UNITED STATES DISTRICT COURT**
24 **NORTHERN DISTRICT OF CALIFORNIA**

25 MATTHEW PHILLIBEN, JULIAN MENA,
26 TODD SCHREIBER, NATE COOLIDGE,
27 ERNESTO MEJIA, and BYRON MCKNIGHT,
28 individually and on behalf of all others similarly
situated,

Plaintiffs,

vs.

UBER TECHNOLOGIES, INC., a Delaware
Corporation, and RASIER, LLC, a Delaware
Limited Liability Company,

Defendants.

Case No. 3:14-cv-05615-JST

HON. JON S. TIGAR

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE
SCHEDULED FOR OCTOBER 19, 2016**

TO THE HONORABLE COURT AND THE CLERK OF THE COURT:

Pursuant to Civil Local Rule 6-2, Plaintiffs Matthew Philliben, Julian Mena, Todd Schreiber, Nate Coolidge, Ernesto Mejia, and Byron McKnight (collectively, "Plaintiffs") and Defendants Uber Technologies, Inc. and Rasier, LLC (collectively "Defendants") (collectively with Plaintiffs, the "Parties") provide this stipulation to inform the Court that they are in the process of mediating this dispute in an effort to address the issues raised in this Court's denial of the Parties Motion for Preliminary Approval of Class Action Settlement (Dkt. 98). As a result, the Parties respectfully request that this Court continue the Case Management Conference, currently scheduled for October 19, 2016 for forty-five (45) days in order to allow the Parties to continue their mediation efforts.

By and through their respective counsel of record, the Parties hereby stipulate and request that the Court enter an Order as follows:

WHEREAS, Plaintiffs commenced this action on January 6, 2015 (Dkt. 1);

WHEREAS, on February 11, 2016, Plaintiffs filed a Motion for Preliminary Approval of Class Action Settlement (herein the "Motion") (Dkt. 75-4);

WHEREAS, on August 30, 2016, the Court issued its Order Denying Motion For Preliminary Approval Of Class Action Settlement (herein the "Denial Order") (Dkt. 98);

WHEREAS, since the date of the Denial Order, the Parties have been negotiating potential amendments to the settlement that would address the issues raised in the Denial Order;

WHEREAS, the Parties participated in a full day mediation on October 5, 2016;

WHEREAS, a follow-up mediation has been scheduled for November 22, 2016;

WHEREAS, a Case Management Conference is currently scheduled for October 19, 2016, and a Joint Case Management Conference Statement is due October 11, 2016 (Dkt. 100);

WHEREAS, no scheduling order has been entered and no trial date has been set for this case;

NOW THEREFORE, in consideration of the foregoing, the Parties, by and through their undersigned counsel, hereby stipulate, agree and request that the Court enter an Order as follows:

1. Continuing the currently scheduled Case Management Conference forty-five (45) days;

or

2. If the Court intends to keep the currently scheduled Case Management Conference date, permitting this Stipulation to constitute the Parties Joint Case Management Conference Statement; and

3. That discovery remains stayed.

IT IS SO STIPULATED.

Dated: October 7, 2016

AHDOOT & WOLFSON, PC

By: /s/ Robert Ahdoot

Tina Wolfson

Robert Ahdoot

Counsel for Plaintiffs Matthew Philliben, Julian Mena, Todd Schreiber, Nate Coolidge, Ernesto Mejia and Byron McKnight

Dated: October 7, 2016

IRELL & MANELLA LLP

By: /s/ A. Matthew Ashley

Andra Barmash Greene

A. Matthew Ashley

Counsel for Defendants Uber Technologies, Inc. and Rasier, LLC

CERTIFICATION PER GENERAL ORDER NO. 45, § X-B

Pursuant to General Order No. 45, § X-B, I, Robert Ahdoot, hereby certify that on October 7, 2016, A. Matthew Ashley authorized me to submit this Joint Stipulation And [Proposed] Order Updating the Court on the Parties' Settlement In Principle and Requesting That Arbitration Hearing Be Vacated:

October 7, 2016

/s/ Robert Ahdoot

Robert Ahdoot

~~[PROPOSED]~~ ORDER

Pursuant to the Parties' October 7, 2016 Stipulation, the Court:

- (1) Orders that the Case Management Conference presently set for October 19, 2016 at 1:30 p.m. be continued to December 14, 2016, 2016 at 2:00 p.m.; and
- (2) Orders that discovery shall remain stayed.

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: October 11, 2016



Honorable Jon S. Tigar
United States District Court Judge